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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/597,960

06/20/2000

D. Amnon Silverstein

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EXAMINER

SAID, MANSOUR M

ART UNIT

PAPER NUMBER

2673

DATE MAILED: 05/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.
09/597,960

Applicant(s)
D. Amnon Silverstein

Examiner
Mansour M. Said

Art Unit
2673



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Jun 20, 2000

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-20 is/are pending in the applica

4a) Of the above, claim(s) _____ is/are withdrawn from considera

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-20 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirem

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

Art Unit:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. **Claims 1-7, 9-10, 12, 15 and 18-20 are rejected under 35 U.S.C. 102(e) as being Derocher by Derocher et al. (6,304,249 B1; hereinafter referred to as Derocher).**

As to claims 1 and 18, Derocher (figures 3-6) teaches a computer mouse (10/10' and (collapsible length mouse, (40)) comprising a motion sensor (column 4, lines 40-54); and a collapsible housing (housing, (figure 6, (42)), (figure 14, (90)), for the motion sensor (column 4, lines 1-67; column 5, lines 1-27; column 6, lines 15-67; and column 7, lines 1-67); and . a base (figure 5, (42)) & (figure 19, (112)), and an upper portion (figure 5, (44)) & (figure 19, (114)), and , the upper portion being made of a collapsible material (column 5, lines 1-44; column 6, lines 17-52 and column 7, lines 1-23).

As to claim 2, Derocher (figures 4-6, 11-13 & 18) teaches wherein the housing is collapsible into a relatively flat structure (column 6, lines 17-32).

Art Unit:

As to claim 3, Derocher teaches wherein the motion sensor includes an optical sensor (column 4, lines 40-53).

As to claim 4, Derocher (figure 5) teaches wherein the collapsible housing includes a base (figure 5, (42)) & (figure 19, (112)), and an upper portion (figure 5, (44)) & (figure 19, (114)), and attached to the base, the base being rigid (column 5, lines 40-44), the upper portion being made of a collapsible material (column 5, lines 1-44; column 6, lines 17-52 and column 7, lines 1-23).

As to claims 5 and 19, Derocher teaches wherein the collapsible material is an elastic material (column 6, lines 32-40 and column 7, lines 1-18).

As to claims 6 and 20, Derocher teaches wherein the collapsible housing includes a resilient sheet plastic having fold lines that allow the housing to collapse into a relatively flat structure (figures 4-6, 11-13 & 18), (column 6, lines 17-52 and column 7, lines 44-67).

As to claim 7, Derocher teaches (figures 4-7) wherein the resilient plastic sheet includes a top portion, a base and inwardly-collapsible sidewalls between the top portion and the base, the sidewalls having the fold lines (column 5, lines 1-67; column 6, lines 32-40 and column 7, lines 1-18).

As to claim 9, Derocher (figures 4, 18 & 20) teaches a retractable cable (cable (24)), assembly within the housing (column 4, lines 15-39, and column 7, lines 44-53).

As to claim 10, Derocher (figure 2) teaches a transmitter (transceiver, (26)) within the housing (column 4, lines 15-27).

Art Unit:

As to claim 12, Derocher teaches wherein the housing has a deflectable mouse button area; and wherein the mouse further comprising at least one sensor for detecting when the area is deflected; whereby deflecting the area corresponds to clicking a mouse button (column 4, lines 40-67 and column 10, lines 11-12).

As to claim 15, Derocher teaches wherein the motion sensor includes a sensor chip that movable between a stowed position and a deployed position (column 4, lines 40-67 and column 10, lines 11-12)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 8, 11, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Derocher in view of Krishan et al. (5,822,692; hereinafter referred to as Krishan).**

As to claim 8, Derocher (figures 3-6 and 11-14) teaches a computer mouse (10/10' and (collapsible length mouse, (40)) comprising a motion sensor (column 4, lines 40-54); and a collapsible housing (housing, (figure 6, (42)), (figure 14, (90) (column 5, lines 44 & column 6, lines 1-53). Derocher does not disclose that a PCMCIA slot so that a mouse is sized to fit when the housing is fully collapsed (figures 3-4, and 11-14) and.

Art Unit:

However, Krishan (figure 1) teaches a notebook computer with a PCMCIA card (abstract; and column 2, lines 15-27; and column 4, lines 36).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Krishan's notebook computer having PCMCIA card into Derocher's collapsible portable mouse so as to increase the versatility of the device.

As to claims 11 and 16, Derocher (figures 3-6) teaches a computer mouse (10/10' and (collapsible length mouse, (40)) comprising a motion sensor (column 4, lines 40-54); and a collapsible housing (housing, (figure 6, (42)), (figure 14, (90)), for the motion sensor (column 4, lines 1-67; column 5, lines 1-27; column 6, lines 15-67; and column 7, lines 1-67); and . a base (figure 5, (42)) & (figure 19, (112)), and an upper portion (figure 5, (44)) & (figure 19, (114)), and , the upper portion being made of a collapsible material (column 5, lines 1-44; column 6, lines 17-52 and column 7, lines 1-23).

Derocher does not expressly teach that a housing has a PCMCIA card.

However, Krishan (figure 1) teaches a notebook computer with a PCMCIA card (abstract; and column 2, lines 15-27; and column 4, lines 36).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Krishan's notebook computer having PCMCIA card into Derocher's collapsible portable mouse so as to connected to a personal computer, personal communicator, and other electronic device (column 4, lines 20-25).

Art Unit:

5. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Derocher in view of Smith (6,055,592).

As to claims 13-14, Derocher teaches (figure 5) a bendable strip cantilevered (22) from the housing whereby bending the strip corresponds to clicking a mouse button (mouse buttons (22)) (column 4, lines 15-25).

Derocher does not disclose that a sensor within the housing for detecting when the strip is bent (mouse click).

However, Smith (figure 1 and 2) teaches click mouse button (102, and a sensor (position sensor, (224)) for detecting when the strip (mouse click area) is bent (column 3, lines 30-67).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to utilize smith's input device having position sensor into Derocher's system so as to increase the use of the input device.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Derocher in view of Krishan as applied to claim 18 above, and further in view of Karidis et al. (6,362,440 B1; hereinafter referred to as Karidis).

As to claim 17, Derocher and Krishan disclose all claimed limitations in claim 17 except that a flat battery within the housing (column 7, lines 5-16; column 8, lines 1-12).

However, Karidis disclose a laptop computer comprising a flat batteries (column 7, lines 5-16 and column 8, lines 1-12).

Art Unit:

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to combine Karidis's portable computer device having a flat battery into Derocher's modified system so as allow the profile of the unit to be desirably reduced (column 8, lines 5-9).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Helms (5,490,039) discloses an integrated mouse tray and mouse for portable computer and method of operation therefore.

Kikinis (5,920,306) discloses a method and apparatus for a broadcast pointer system.

Lu (6,225,981B1) discloses a wireless computer mouse.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mansour M. Said** whose telephone number is (703) 306-5411.

The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Shalwala Bipin**, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Application/Control Number: 09/597,960

Art Unit:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer service Office whose telephone number is (703) 306-0377.

Patent Examiner

April 25, 2002

Mansour M. Said



BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600